

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

KIM CONDRA LOEWENSTEIN,)	
)	
Plaintiff,)	
)	
v.)	No.: 1:20-CV-135-TAV-SKL
)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

This civil matter is before the Court on a Report and Recommendation (R&R) entered by United States Magistrate Judge Susan K. Lee on January 26, 2021 [Doc. 8]. In the R&R, the magistrate judge recommends that the Court dismiss this case without prejudice for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41. In so recommending, the magistrate judge notes that she issued a show cause order [Doc. 6] after plaintiff failed to timely file a motion to proceed *in forma pauperis* or pay the filing fee. Counsel for plaintiff responded that he had been unable to communicate with plaintiff for over six (6) months, despite many attempts to do so [Doc. 7]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(d), 72(b).

After careful review of the matter, the Court agrees with the magistrate judge's recommendations. Accordingly, the Court **ACCEPTS** in full the R&R [Doc. 8] pursuant

to 28 U.S.C. § 636(b)(1). This case is therefore **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under Rule 41. The Clerk is **DIRECTED** to close the case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE